ಶ್ರೀ ಎಚ್. ಕೆ. ಸಿದ್ದಯ್ಯ.—ಈ ಪ್ರಶ್ನೆ ಕಳುಹಿಸಿದ ಮೇಲೆ ಸದರಿ ಕೆಲಸವು ಚೆನ್ನಾಗಿ ನಡೆಯುತ್ತಿರುವುದರಿಂದ ನಾನು ಇದನ್ನು ಪ್ರೆಸ್ ಮಾಡುವುದಿಲ್ಲ.

Mr. SPEAKER.—Questions Nos. 68 and 322 may be taken up together.

List of Candidates for Appointment o Munsiffs.

Q.—68. Sri B. RACHAIAH (Yelandur—Scheduled Castes).—

Will the Government be pleased to state :—

(*a*) whether the vacancies for appointment of Munsiffs in the Judicial department were advertised ;

(*b*) the number of applications received ;

(*c*) whether a list of candidates has been prepared by the Chief Justice and whether it is pending before Government ;

(*d*) whether the Public Service Commission was consulted ?

A.—Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—

(*a*) Applications for selecting candidates for appointment of Munsiffs were called for by the High Court by a Notification in the Official Gazette.

(*b*) 122.

(*c*) A list of candidates prepared by the High Court of Mysore was received by Government and the same was referred to the High Court with certain information which was not supplied by the High Court.

(*d*) The Public Service Commission was not consulted in respect of the above list.

Q.—322. Sri R. ANANTARAMAN (Chamarajpet).—

Will the Government be pleased to state :—

(*a*) whether a list of candidates for appointment of Munsiffs was called for from the High Court of Mysore ;

(*b*) the number of Lawyers recommended by the High Court ;

(*c*) whether the list as recommended by the High Court has been approved by the Government ;

(*d*) if not, the reason for not approving the list ;

(*e*) whether they are aware that some Munsiff Courts are temporarily closed for want of Munsiffs ?

A.—Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—

(*a*) The High Court of Mysore had been authorised to call for applications for appointment as Munsiffs.

(*b*) Twenty-one.

(*c*) No.

(*d*) The list was too big and the data for selection from the list was not available.

(*e*) No ; but some temporary courts having inadequate work have been closed.

ಶ್ರೀ ಬಿ. ರಾಚಯ್ಯ.—ಕಳೆದ ಅಧಿವೇಶನದಲ್ಲಿ ಈ ತರಹ ಪ್ರಶ್ನೆ ಬಂದಿತ್ತೆ ?

ಶ್ರೀ ಎ. ಜಿ. ರಾಮಚಂದ್ರರಾವ್.—ಬಂದಿತ್ತು.

ಶ್ರೀ ಬಿ. ರಾಚಯ್ಯ.—ಆಗ ಉತ್ತರ ಒದಗಿಸಿತ್ತೆ ?

ಶ್ರೀ ಎ. ಜಿ. ರಾಮಚಂದ್ರರಾವ್.—ಒದಗಿಸಿತ್ತು.

ಶ್ರೀ ಬಿ. ರಾಚಯ್ಯ.—ಹಾಗೆ ಒದಗಿಸಿದ್ದರೆ ಈಗ ಈ ಪ್ರಶ್ನೆಗೇಕೆ ಉತ್ತರ ಕೊಡಲಲ್ಲ ?

Mr. SPEAKER.—Any other question?

Sri B. RACHAIAH.—I have no other supplementaries to put, Sir.

Sri R. ANANTARAMAN.—Was not a similar big list sent to the Government on a previous occasion ?

Mr. SPEAKER.—All this has been answered on the 12th January.

Sri R. ANANTARAMAN.—On a prior occasion, was not a big list similar to this sent to Government for approval ?

Sri A. G. RAMACHANDRA RAO.—The bigness or the smallness depends on the circumstances of the case.

Mr. SPEAKER.—His question is whether such a list was not sent on a previous occasion.

Sri A. G. RAMACHANDRA RAO—True. The question of bigness or smallness is relative to the particular time.

Mr. SPEAKER.—Whether such a list was sent or not—that was his question.

Sri A. G. RAMACHANDRA RAO—Lists were being sent previously ; whether big or small I cannot says.

Sri R ANANTARAMAN.—Which were the temporary courts that were closed?

Mr. SPEAKER.—It is given in the next page. The courts that have been abolished are mentioned in page 6.

Sri M. LINGANNA.—May I know where that list is pending at present ?

Sri A. G. RAMACHANDRA RAO.—At present, it is not pending anywhere.

Sri M. LINGANNA.—What has happened to this list ?

Sri A. G. RAMACHANDRA RAO.—Rules have been framed and appointments made in accordance with the rules.

Mr. SPEAKER.—Copies of the rules were distributed in January.

Sri M LINGANNA.—Where is this particular list pending ?

Sri A. G. RAMACHANDRA RAO.—That issue itself is not pending.

Separation of the Judiciary from the Executive.

Q.—324. Sri R. ANANTARAMAN (Chamarajpet).—

Will the Government be pleased to state the steps taken by them to separate the Judiciary from the Executive ?

A.—Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—

A scheme for the separation of the Judiciary from the Executive has been formulated. The views of the High Court of Mysore, the Advocate-General in Mysore, the Bar Associations at District Headquarters and the District Magistrates of Districts were called for. Their views have been since received. The matter is under consideration of Government.

A Committee under the Chairmanship of Justice Sri T. N. Mallappa, Judge, High Court of Mysore, has been constituted by Government to go into the question of redistribution of territorial and pecuniary jurisdiction of courts in the State and the report of the Committee is also awaited.

Sri R. ANANTARAMAN.—Is it not obligatory on the part of Government, under Article 50 of the Constitution, to effect the separation of the Judiciary from the Executive immediately ?

Sri A. G. RAMACHANDRA RAO.—It is a directive in my opinion and we are trying to carry it out as early as possible.

Sri R. ANANTARAMAN.—May I know whether there is any financial commitment if such a separation is effected ?

Sri A. G. RAMACHANDRA RAO.—Certainly.

Sri R. ANANTARAMAN.—Are the Government going to bring any Bill to effect the separation ?

Sri A. G. RAMACHANDRA RAO.—I do not think any Bill is necessary.

Sri R. ANANTARAMAN.—In view of the fact that a report has been sent to the Government, are you going to bring any Bill ?

Mr. SPEAKER.—The report of the Committee is also awaited. It has not yet been sent.

Ministerial Staff of the Judicial Department.

Q.—136. Sri B. NARAYANASWAMY (Mysore City South).—

Will the Government be pleased to state :—

(*a*) whether it is a fact that there is no uniform State-wide gradation list for all the Ministerial Staff of the Judicial Department and that there are different cadres, one to High Court and another for the subordinate judicial staff ; if so what are the reasons ;

(*b*) whether there is direct recruitment of the ministerial staff to the High Court or by promotion ;

(*c*) whether it is not a fact that there are cases of promotion from subordinate judicial staff overlooking seniority ; if so, how many, and for what reasons the seniority is disregarded ?

A.—Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—

(*a*) Under the Constitution, appointments in the High Courts are distinct from appointments in the Subordinate Courts.